

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TION ALONZO HILL,

Plaintiff,

v.

JOSHUA ARNOLD, et al.,

Defendants.

Case No. 09-cv-05434-TEH

**ORDER ON EXCERPTS AND
OBJECTIONS TO DEPOSITION
TESTIMONY OF SERGEANT UNG**

The parties have submitted a chart for the Court's rulings on their objections to the proposed excerpts from the deposition of Sergeant Alvin Ung. Docket No. 171 at 1, 3-5.

The Court will use the chart provided, and hereby rules as follows:

Plaintiff's Deposition Objections

<u>No.</u>	<u>Objection Page-Line</u>	<u>Objection</u>	<u>Sustained</u>	<u>Overruled</u>
1	9:2	Leading		X
2	9:16 – 9:17	Lacks foundation		X
3	11:8 – 11:9	Calls for narrative		X
4	12:23 – 12:24	Vague and ambiguous Calls for narrative		X
5	15:7 – 15:8	Lack of foundation Vague and ambiguous		X
6	16:1 – 16:2	Lacks foundation Vague and ambiguous		X
7	18:10 – 18:11	Vague and ambiguous		X

<u>No.</u>	<u>Objection Page-Line</u>	<u>Objection</u>	<u>Sustained</u>	<u>Overruled</u>
8	18:19 – 18:20	Lacks foundation.		X
9	19:6	Leading		X
10	20:25 – 21:1	Calls for narrative		X
11	21:25 – 22:4	Speculative		X
12	25:1 – 25:2	Lacks foundation		X
13	25:10 – 25:11	Lacks Foundation		X
14	25:16	Leading		X
15	26:7 – 26:8	Lacks foundation		X
16	26:25 – 27:1	Lacks foundation		X
17	27:16 – 27:17	Lacks foundation		X
18	29:4	Compound		X
19	30:22 – 30:23	Speculation	X	
20	37:18 – 37:19	Vague and ambiguous.		X
21	40:11	Leading		X
22	45:3 – 45:4	Calls for speculation		X
23	46:5	Leading		X
24	48:4 – 48:8	Lacking foundation.		X
25	48:25 – 49:1	Calls for speculation		X
26	51:1 – 51:2	Calls for speculation		X
		Lacks foundation		

<u>No.</u>	<u>Objection Page-Line</u>	<u>Objection</u>	<u>Sustained</u>	<u>Overruled</u>
27	78:22-23	Move to strike 78:13-18 as non-responsive	X	
28	86:6 – 86:7	Calls for speculation		X
29	86:13 – 86:14	Calls for speculation		X
30	86:20 – 86:21	Calls for speculation		X
31	87:3 – 87:4	Calls for speculation		X
32	87:11 – 87:12	Vague and ambiguous. Asked and answered		X
33	88:19 – 88:20	Calls for speculation		X

Defendants' Deposition Objections

<u>No.</u>	<u>Objection Page-Line</u>	<u>Objection</u>	<u>Sustained</u>	<u>Overruled</u>
1	61:22	Vague		X
2	62:3-4	Vague and Overbroad		X
3	62:16	Vague		X
4	62:21	Vague		X
5	67:11-12	Vague and Overbroad		X
6	79:24	Vague		X
7	80:8	Vague		X
9 8	82:5-6	Speculation	X	
10 9	83:2-3	Speculation	X	

Defendants' Objections to Plaintiff's Excerpts

<u>No.</u>	<u>Objection Page-Line</u>	<u>Objection</u>	<u>Sustained</u>	<u>Overruled</u>
1	52:13-18	Relevance. A party can authenticate a photograph through its appearance, substance, or distinctive characteristics. Fed R. Evid. 901(b)(4). It is irrelevant whether Sgt. Ung took the photograph himself.		X
2	61:12-18	Not Question and Answer. Fed. R. Evid. 611		X
3	81:12-17	Not Question and Answer. Fed. R. Evid. 611.	X	

Excerpts to which there were no requested objection rulings are deemed admitted.

IT IS SO ORDERED.

Dated: 05/28/15



THELTON E. HENDERSON
United States District Judge